

CAFO FACILITY INSPECTION REPORT

OFFICE NO:

PCA SYSTEM TASK NO:

INSPECTOR(S): Anthony D'Angelo (PG Environmental, LLC)

FACILITY INFORMATION

<u>8335678001</u> WDID NUMBER	<u>Andy Dyt</u> OWNER NAME	<u>Dyt Heifers</u> FACILITY NAME
<u>CAG018001</u> NPDES NUMBER	<u>Ex. 6 Personal Privacy (PP)</u>	
<u>R8-2007-0001</u> RWQCB ORDER NO.	<u>Corona, CA 92880</u> OWNER CITY AND STATE	<u>Corona, CA 92880</u> FACILITY CITY AND STATE
<u>04/10/2013</u> SCHEDULED INSPECTION DATE	<u>Andy Dyt</u> OWNER CONTACT	<u>Andy Dyt</u> FACILITY CONTACT
<u>04/10/2013</u> ACTUAL INSPECTION DATE	<u>Ex. 6 Personal Privacy (PP)</u>	
<u>Santa Ana River</u> RECEIVING WATER	<u>Ex. 6 Personal Privacy (PP)</u>	
	<u>Ex. 6 Personal Privacy (PP)</u>	

INSPECTION TYPE

- | | |
|---|---|
| <input type="checkbox"/> (A1) "A" type compliance -- (EPA Type S) | <input type="checkbox"/> (04) Complaint - Complaint |
| <input checked="" type="checkbox"/> (B1) "B" type compliance -- (EPA Type C) | <input type="checkbox"/> (05) Pre-requirement |
| <input type="checkbox"/> (02) Noncompliance follow-up - Correction of a previously identified violation | <input type="checkbox"/> (06) Miscellaneous |
| <input type="checkbox"/> (03) Enforcement follow-up - Enforcement action is being met | |

(Type) NOTE: If this is an EPA inspection not mentioned above, please note type (e.g., biomonitoring, performance audit, diagnostic, etc.)

No	Was the inspection pre-announced?
Yes	Were potential violations noted during this inspection?
No	Was this a quality assurance-based inspection?
No	Were bioassay samples collected?
No	Were water quality samples collected?

INSPECTION SUMMARY

The overall Facility rating, on a 1 (Unreliable) to 5 (Very Reliable) scale, was determined to be: 3 = Satisfactory.

Dyt Heifers (hereinafter, Facility) was rated "Satisfactory" due to the following items:

- Annual Reports for the previous five (5) years were not retained or available for review at the time of the inspection
- Manure Tracking Manifests were not available for review at the time of the inspection
- The Engineered Waste Management Plan (EWMP) was not retained onsite or reflective of current Facility conditions at the time of the inspection

INSPECTOR DATA

INITIALS AJD SIGNATURE _____ DATE 04/10/2013

CIWQS DATA ENTRY DATE: _____ REGIONAL BOARD FILE NUMBER: _____

FOR INTERNAL USE: REVIEWED BY: (1) _____ (2) _____ (3) _____

REPORT PREPARED BY: Anthony D'Angelo (PG Environmental, LLC) ON 04/22/2013

EPA SUGGESTED INSPECTION CHECKLIST

- | | | | |
|--|---|---|--|
| <input checked="" type="checkbox"/> Permit | <input type="checkbox"/> Flow Measurement | <input type="checkbox"/> Pretreatment | <input checked="" type="checkbox"/> Operations & Maintenance |
| <input checked="" type="checkbox"/> Records/Reports | <input type="checkbox"/> Laboratories | <input type="checkbox"/> Compliance Schedules | <input type="checkbox"/> Sludge Disposal |
| <input checked="" type="checkbox"/> Facility Site Review | <input type="checkbox"/> Eff/Receiving Waters | <input type="checkbox"/> Self- Monitoring | <input type="checkbox"/> Other |

POTENTIAL VIOLATIONS

1. The EWMP was not retained onsite at the time of the inspection as required by Provision VII.C.3.c of the Permit.

Description of Potential Violation: **Refer to Item No. 1 of the 'Engineered Waste Management Plan Review' section of this report for additional details.**

2. The EWMP was not reflective of current Facility conditions at the Facility, as required by Provision VII.C.3.b of the Permit (refer to Photos 6 through 14).

Description of Potential Violation: **Refer to Item No. 2 of the 'Engineered Waste Management Plan Review', section of this report for additional details.**

Date of Potential Violation: **N/A**

Date of Potential Violation Determination: **April 10, 2013**

INSPECTION OBSERVATIONS

On April 10, 2013, a Concentrated Animal Feeding Operation (CAFO) inspection was conducted for Santa Ana Water Board Order No. R8-2007-0001 - 'General Waste Discharge Requirements for Concentrated Animal Feeding Operations (Dairies and Related Facilities) within the Santa Ana Region', NPDES General Permit No. (CAG018001) at Dyt Heifers in Corona, California (refer to Photos 1 and 2). The inspector met with Mr. Fernecio (last name not provided) (Operator, Dyt Heifers) at the beginning of the inspection at approximately 10:00 AM on April 10, 2013. Mr. Fernecio declined to participate in the Facility site visit. A closing conference was not provided to Facility representative due to their absence at the conclusion of the inspection.

The Facility is a 33.2-acre dairy farm with an animal population of approximately 800 heifers at the time of the inspection. The dairy Facility is owned by Mr. Andy Dyt (Owner, Dyt Heifers). Mr. Dyt leases the milking barn, interior corrals, commodity barns, Facility containment structures (i.e., pond Nos. 1-3), and disposal field to Mr. Geoffrey Vanden Heuvel who operates J & D Star Dairy No. 2 at the same Facility (refer to Photo 2). Mr. Vanden Heuvel is responsible for J & D Star Dairy No. 2 corral maintenance, milking barn maintenance, and the Facility containment structures and disposal field maintenance. Mr. Dyt is only responsible for the exterior corrals and associated feedlanes at the Facility (refer to Photos 3 and 4). Milking and cow washing activities that occur at the Facility are not related to the operations of Dyt Heifers. Mr. Fernecio stated that an earthen berm had been previously constructed around the exterior of the Dyt Heifer's corrals to contain all storm water runoff within the corrals to prevent surface runoff from entering the Facility containment ponds (refer to Photos 6 through 14). The Bellgrave Channel runs along the northern perimeter of the Facility (refer to Photo 5).

Mr. Fernecio stated that the corrals are cleaned two (2) times per year and scraped weekly. The majority of manure is hauled offsite by Celaya Trucking; however, he was unaware of the destination. The remaining manure is stockpiled in the southern portion of the Facility, west of the ponds, for public use (refer to Photos 10, 15, and 16). Manure tracking manifests of all haul events during the 2012 reporting period were not available for review at the time of the inspection. As provided by Mr. Dyt, all records are maintained at Dyt Dairy No. 1 located at: Ex. 6 Personal Privacy (PP) in Corona, California. Mr. Fernecio stated that all mortalities are removed from the Facility immediately by Stiles Animal Removal, Inc.

Refer to the April 10, 2013 J & D Star Dairy No. 2 inspection report for additional information regarding the Facility.

FACILITY

CAFO Size: **Medium**
(at time of inspection)

Total Acres: **33.2 (includes both Dyt Heifers and J&D Star Dairy No. 2)**

Production Area Acres:
Unknown

CONTAINMENT STRUCTURES

Wastewater Lagoons: **0**
Depth Markers: **0**

Evaporation Ponds: **0**
Other: **N/A**

Catch Basins: **0**

ANIMALS ONSITE DURING INSPECTION

Milk Cows: **0**
Calves: **0**

Dry Cows: **0**
Other: **N/A**

Heifers: **800**

ANNUAL REPORT REVIEW

ANNUAL REPORT

Monitoring Year: **N/A**

Reviewed: **No**

Signed & Certified: **Unknown**

Submittal Date: **N/A**

REPORTED ANIMAL POPULATION

Milk Cows: **N/A**

Dry Cows: **N/A**

Heifers: **N/A**

Calves: **N/A**

Other: **N/A**

MANURE INFORMATION

Amount of manure spread on cropland at the Facility: **N/A**

Amount of manure hauled away from the Facility: **Unknown**

Name and location of the composting operation, or, if the manure was hauled to cropland, the owner or tenant, and the destination address: **Unknown**

1. Annual Reports for the previous five (5) years were not available for review at the time of inspection. Mr. Andy Dyt (Owner, Dyt Heifers) explained to the inspector, during an inspection at Dyt Dairy No. 1 on April 9, 2013, that all records for Dyt Heifers is maintained at his residence at **Ex. 6 Personal Privacy (PP)** in Corona, California. All monitoring data shall be maintained for at least five (5) years and shall be made available upon request as required by Permit Attachment B - Monitoring and Reporting Program, Section I.A.
2. Weekly Storm Water Management Structure visual inspection documentation was not available for review at the time of the inspection as required by the Permit. Mr. Andy Dyt (Owner, Dyt Heifers) explained to the inspector, during an inspection at Dyt Dairy No. 1 on April 9, 2013, that all records for Dyt Heifers (including weekly inspection documentation) is maintained at his residence at **Ex. 6 Personal Privacy (PP)** in Corona, California. Inspection records were not available at the time of the inspection; therefore, the inspector was unable to determine whether Weekly Storm Water Management Structure visual inspections are conducted at the Facility. It should be noted that the Facility does not utilize any containment structures or process wastewater distribution/application equipment at the Facility. Permit Attachment B - Monitoring and Reporting Program, Section I.A states "all monitoring data shall be maintained for at least five years and shall be made available to Regional Board, SWRCB, USEPA staff and/or their authorized representatives (including an authorized contractor acting as their representative), upon request." In addition, Permit Attachment B - Monitoring and Reporting Program, Section I.B states "all containment structures, including but not limited to, ponds, berms, and wastewater distribution lines, shall be inspected at least once a week during the entire year and at least once each 24-hour period during a storm event in which rainfall exceeds 0.5 inches in 24 hours. The findings of these inspections shall be documented on the attached CAFO Weekly Storm Water Management Structure Inspections Log Sheet (Attachment 1[of the Permit])." The Discharger must make all monitoring data available as required by Permit Attachment B - Monitoring and Reporting Program, Section I.A.

ENGINEERED WASTE MANAGEMENT PLAN (EWMP) REVIEW

Did the inspector review the EWMP in the RWQCB file? **Yes**
Did the Facility have a copy of the EWMP on-site and available for review? **No**
EWMP preparation date: **November 2007**
EWMP prepared by: **Sierra Engineering Services**
Santa Ana RWQCB EWMP acceptance date: **December 18, 2007**
EWMP was certified by the Facility's engineer/consultant on: **Unknown**

1. The EWMP was not retained onsite or available for review at the time of the inspection as required by the Permit. Mr. Dyt explained to the inspector, during an inspection at Dyt Dairy No. 1 on April 9, 2013, that all records for Dyt Heifers are maintained at his residence at [REDACTED] California. A copy of the EWMP in the RWQCB file was reviewed by the inspector prior to the inspection. Provision VII.C.3.c of the Permit states "a copy of the Engineered Waste Management Plan (EWMP) for the facility shall be maintained on site and the person in charge of the dairy operation shall be familiar with its content." The Discharger shall maintain a copy of the EWMP at the Facility as required by Provision VII.C.3.c of the Permit.
2. The EWMP was not reflective of current Facility conditions or fully implemented onsite at the Facility as required by the Permit. The 'Stormwater Run-off' section of the EWMP states "stormwater runoff from the corrals is directed by gravity flow toward the lower elevated ponds on the southeast portion of the property." Mr. Fernecio stated that an earthen berm had been previously constructed along the southern perimeter of the Dyt Heifer's corrals to contain all storm water runoff within the corrals to prevent surface runoff from entering the Facility containment ponds (refer to Photos 6 through 14). It should be noted that Mr. Geoffrey Vanden Heuvel (Owner, J & D Star Dairy No. 2) stated that he is responsible for the maintenance of the Facility containment structures, and that only process wastewater from his operations is collected into the containment structures. Due to the grade of the Facility corrals, it appeared to the inspector that storm water runoff from the Dyt Heifers corrals would accumulate in the southwest corner of the central southern corral, immediately north of pond No. 1 (refer to Photos 8, 9, and 10). Therefore, the Discharger was operating the Facility without a containment structure. It should be noted that two (2) gaps (i.e., gates) were observed in the southern earthen berm (refer to Photos 11 through 14). As a result, the Discharger was not fully implementing the approved EWMP, nor was the EWMP reflective of current Facility conditions at the time of the inspection. Provision VII.C.3.b of the Permit states that "the discharger shall develop and fully implement an Engineered Waste Management Plan (EWMP) acceptable to the Executive Officer." The Discharger shall design, construct, and maintain containment structures and fully implement the EWMP as required by Provision VII.C.3.b of the Permit.

NUTRIENT MANAGEMENT PLAN (NMP) REVIEW (IF APPLICABLE)

Did the Facility have a copy of the NMP on-site and available for review? **N/A**
Date NMP was prepared: **N/A**
NMP prepared by: **N/A**
Santa Ana RWQCB NMP acceptance date: **N/A**

1. The Discharger does not apply manure, litter, or process wastewater to croplands under their ownership or operational control; therefore, the Discharger is not required to develop, implement, and retain onsite a Nutrient Management Plan as stated in Provision VII.C.3.d of the Permit.

FACILITY HOUSEKEEPING, WASTEWATER, AND MANURE INFORMATION

Typical Depth of Manure in Corrals (in inches):	3-6
Estimated Freeboard in Fullest Lagoon (in feet):	N/A
Date of Last Lagoon Solids Removal, per Facility Representative:	N/A
Disposal Location for Lagoon Solids:	N/A

REVIEW OF FACILITY HOUSEKEEPING

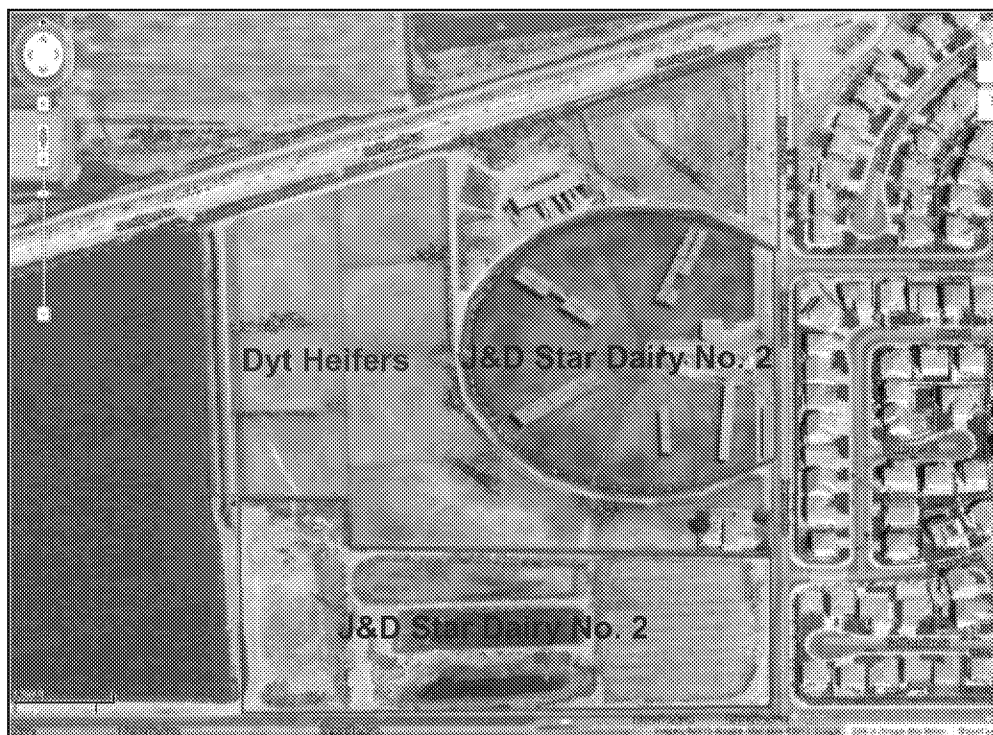
1. The inspector observed, during the inspection, adequate housekeeping and pollution prevention practices at the Facility. Corrals and feed lanes appeared to be adequately maintained at the time of the Facility inspection (refer to Photos 3 and 4).

ITEMS FOR FOLLOW UP ON FUTURE INSPECTIONS

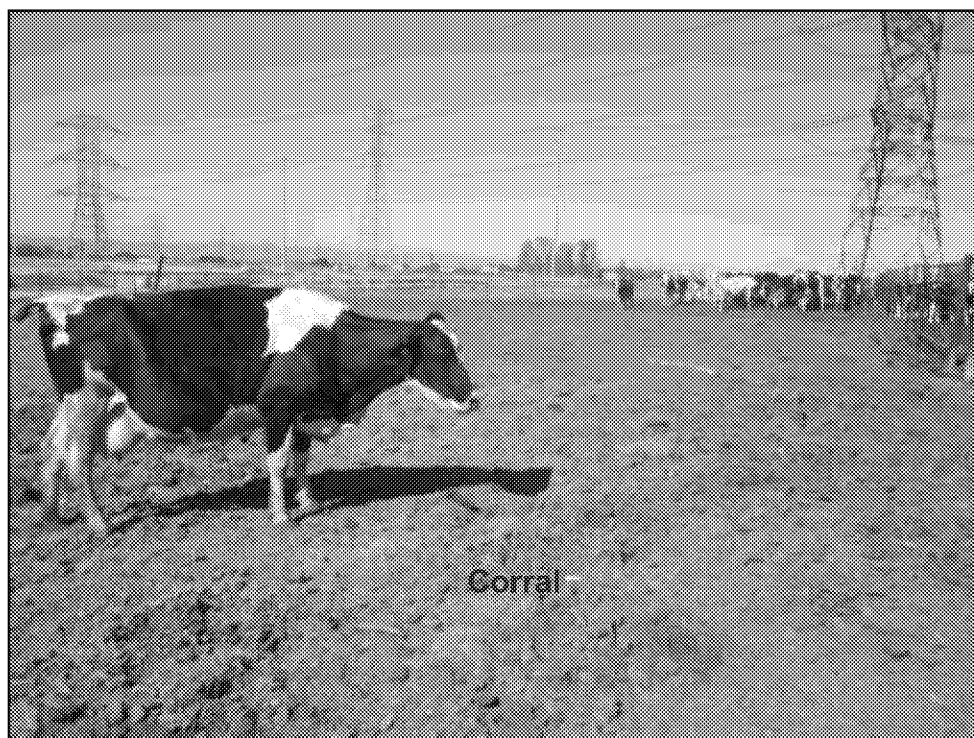
1. Verify whether weekly inspections are conducted and documented at the Facility
2. Verify whether the EWMP is retained onsite
3. Verify whether the EWMP is fully implemented (i.e., storm water containment structures)



Photograph 1. Facility milking barn address. Dyt Heifers and J & D Star Dairy No. 2 both operate at the same Facility, shown in Photograph 2.



Photograph 2. GoogleMaps satellite image of the Facility identifying the two separate CAFOs operating at the Facility, Dyt Heifers and J & D Star Dairy No. 2.



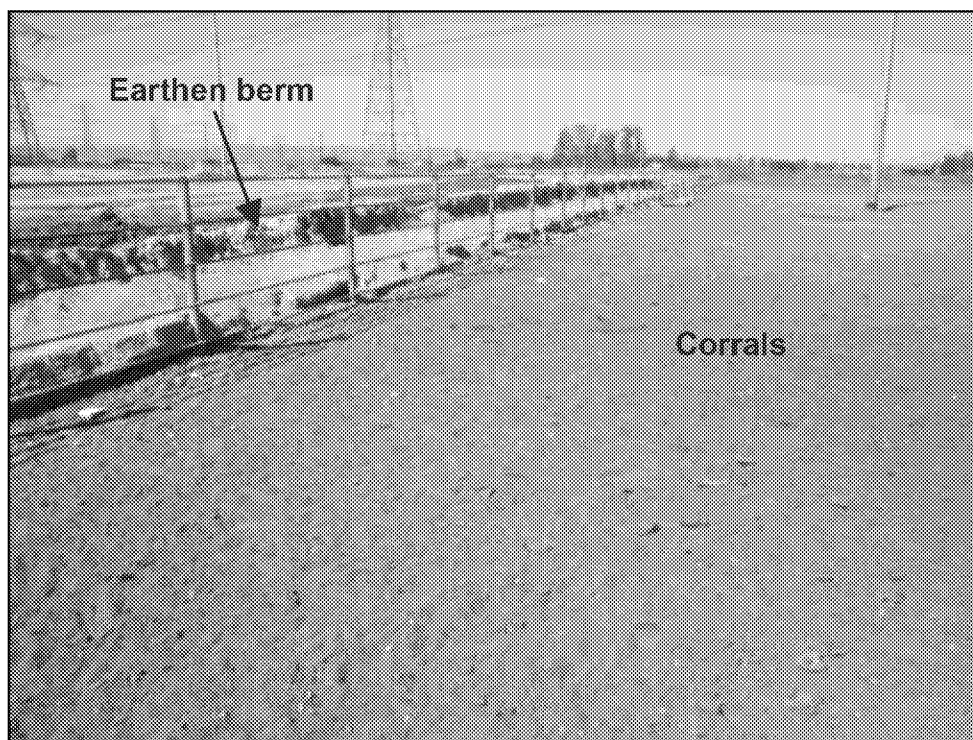
Photograph 3. View facing southwest of the southern corrals. Corrals at the Facility appeared well maintained and did not contain significant accumulated manure.



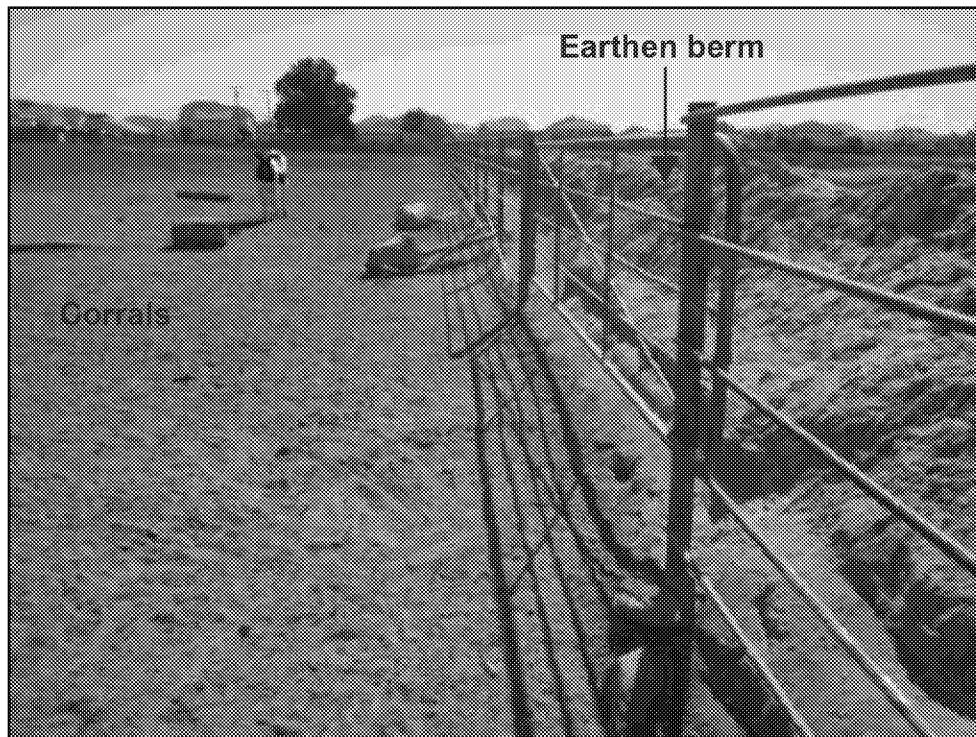
Photograph 4. View facing north of the western feed lane. Feed lanes appeared well maintained at the Facility.



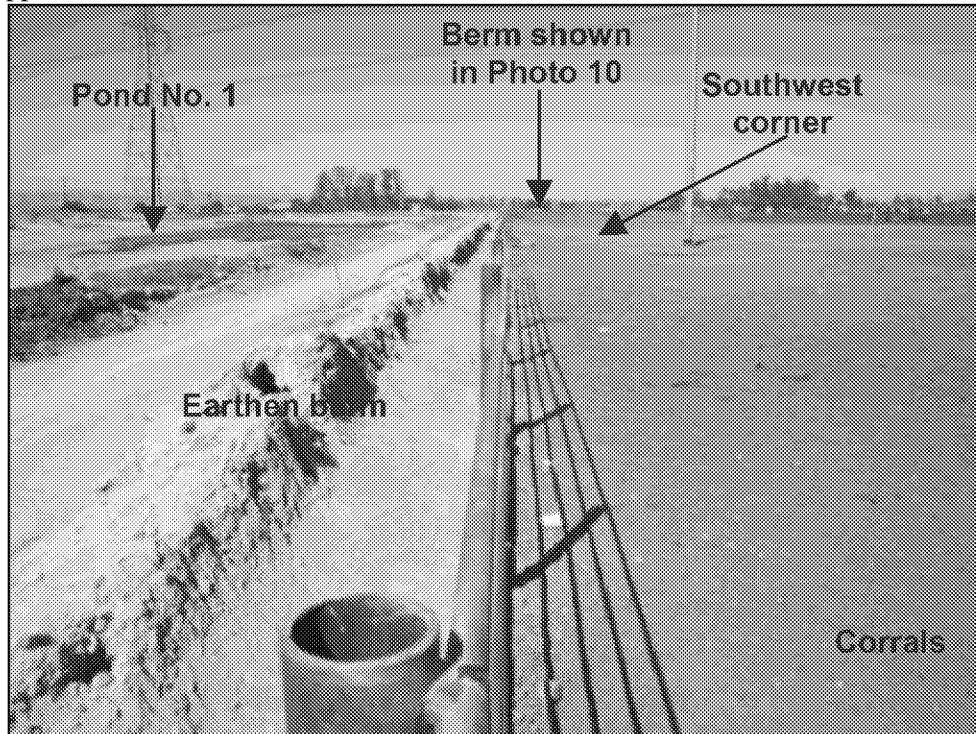
Photograph 5. View facing southwest of Bellgrave Channel that runs along the northern perimeter of the Facility.



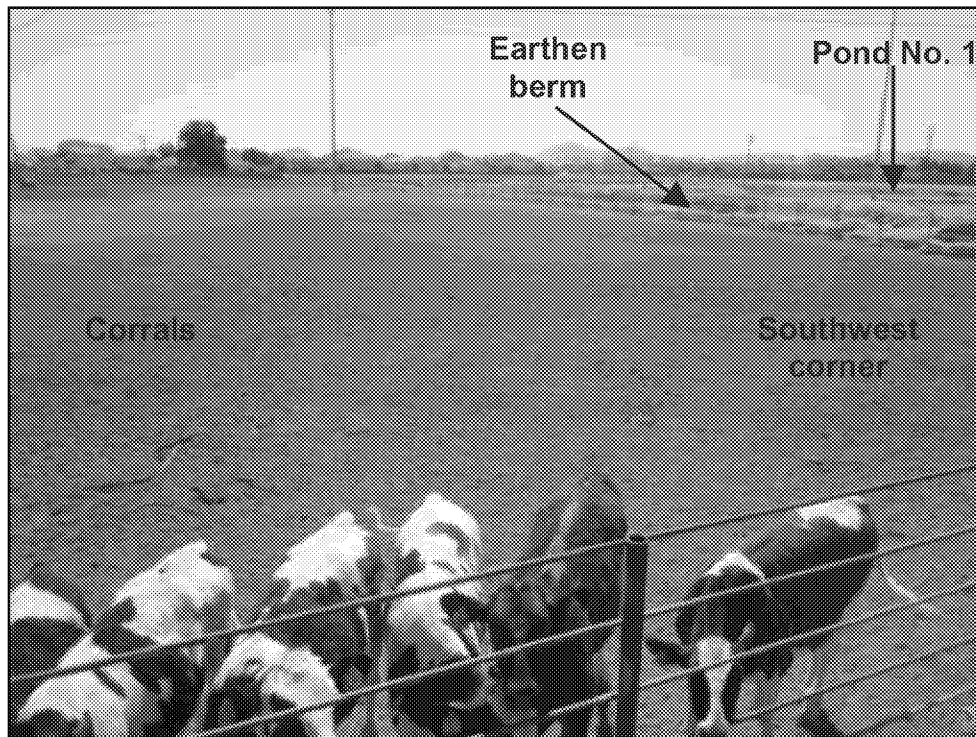
Photograph 6. View facing southwest of the earthen berm constructed along the southern perimeter of the southern corrals. Note this berm was constructed to contain all surface runoff within the corrals and is not identified in the approved EWMP.



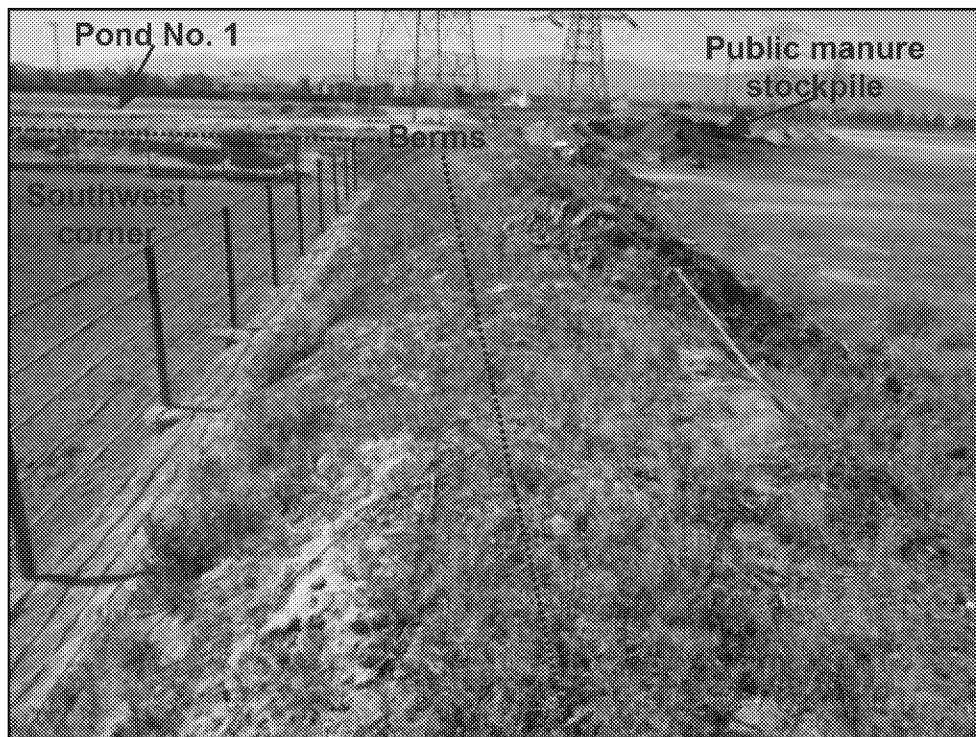
Photograph 7. Additional view facing east of the earthen berm constructed along the southern perimeter of the southern corrals, shown in Photograph 6. Note that this berm was not identified in the approved EWMP.



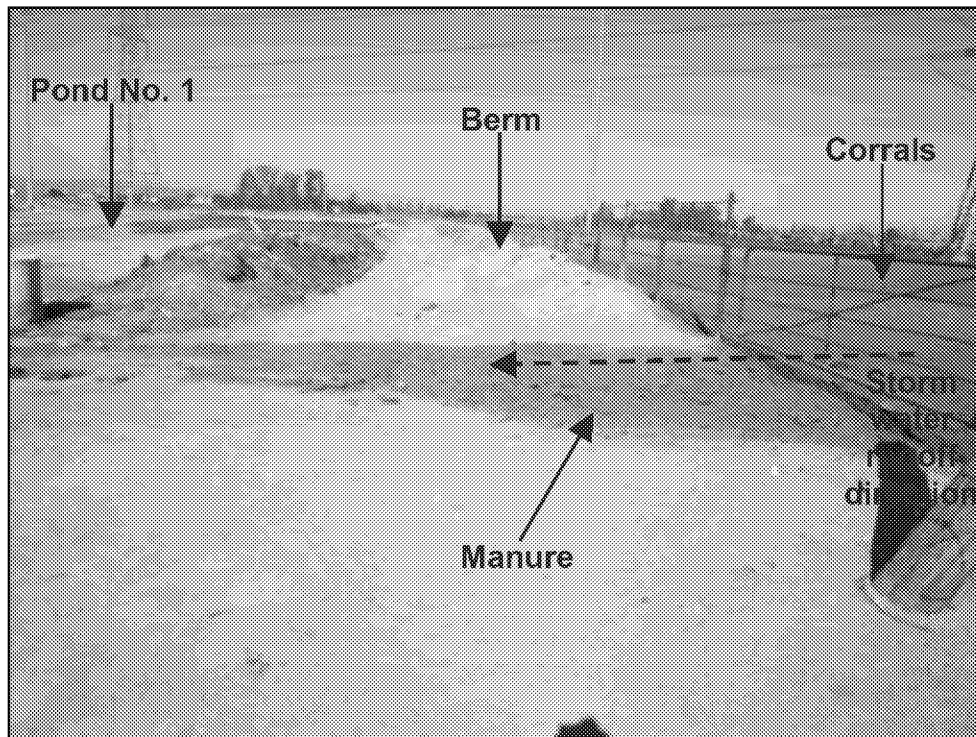
Photograph 8. Additional view facing west of the earthen berm constructed along the southern perimeter of the southern corrals, shown in Photographs 6 and 7. Note it appeared to the inspector that storm water runoff from the Dyt Heifers corrals would accumulate in the southwest corner of the central southern corral.



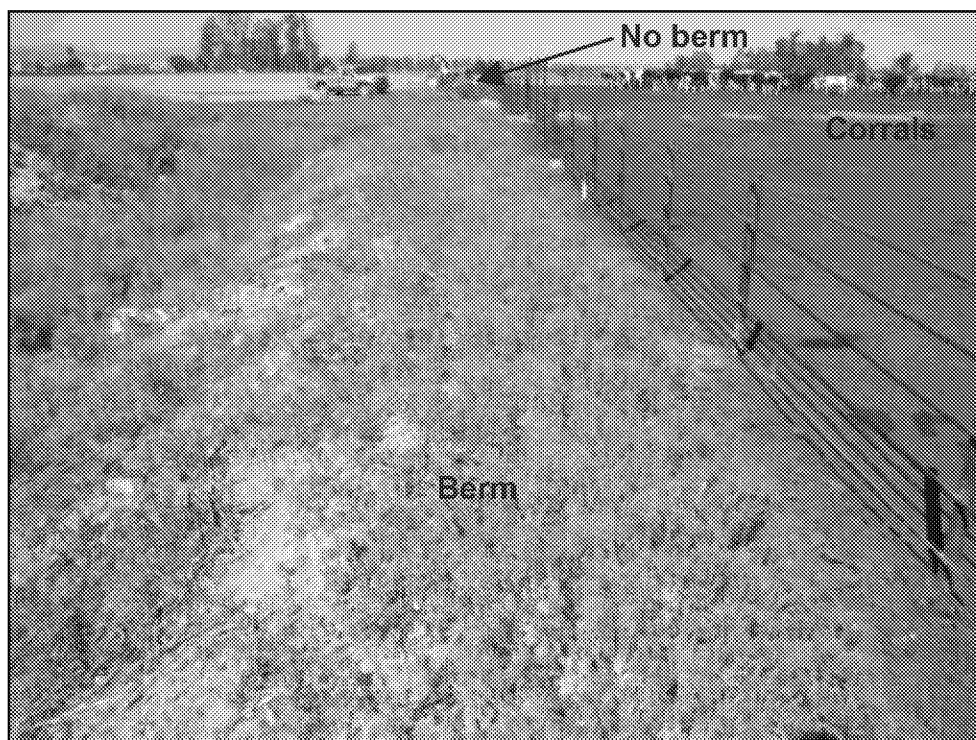
Photograph 9. View facing southeast of the earthen berm constructed along the southern perimeter of the southern corrals, shown in Photographs 6, 7, and 8. Note it appeared to the inspector that storm water runoff from the Dyt Heifers corrals would accumulate in the southwest corner of the central southern corral.



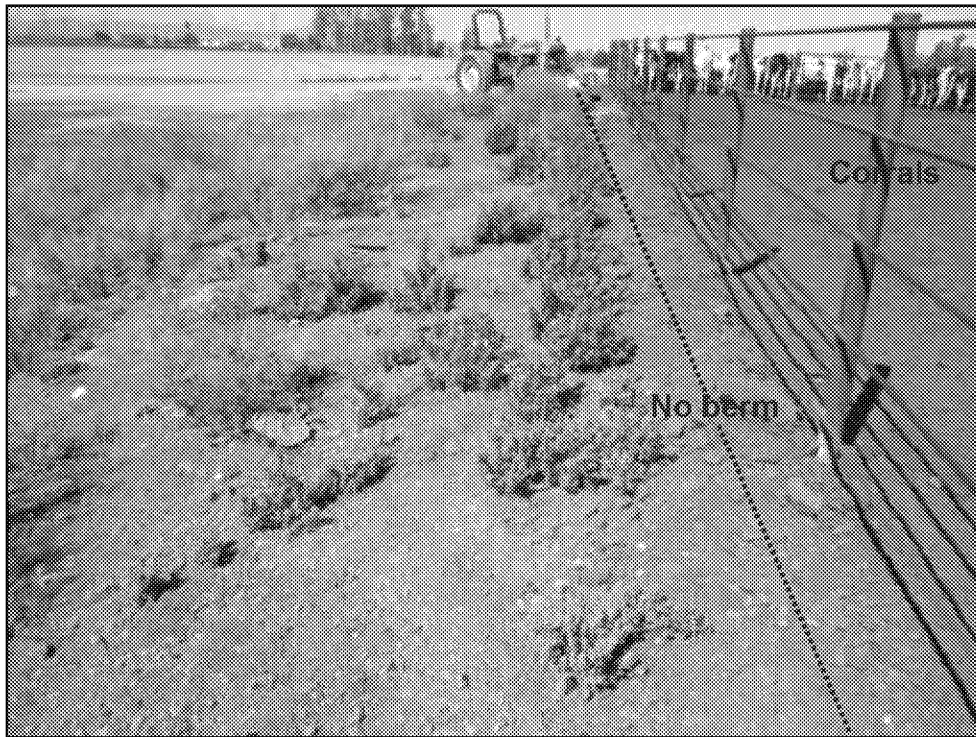
Photograph 10. View facing south of the earthen berm around the southwest corner of the central southern corral. Note it appeared to the inspector that storm water runoff from the Dyt Heifers corrals would accumulate in the southwest corner of the central southern corral.



Photograph 11. View facing west of a potential location for storm water runoff to be released out of the southern corrals into pond No. 1. Note the primary Facility representative stated that the earthen berms, shown in Photographs 6 through 10, contain all corral storm water runoff.



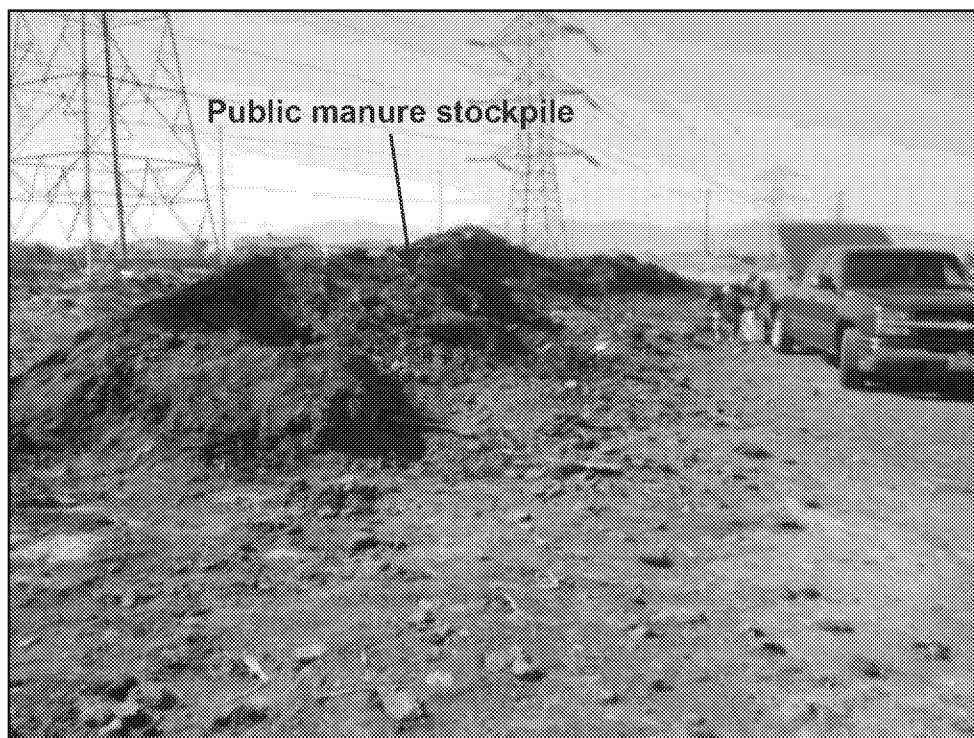
Photograph 12. View facing west of an earthen berm along the southern perimeter of the western corrals. Note the berm was not contiguous along the southern perimeter of the corrals.



Photograph 13. View facing west along the southern perimeter of the western corrals. Note the earthen berm was not contiguous along the south side of the western corrals, shown in Photograph 12.



Photograph 14. View facing south of the southern perimeter of the western corrals. Note the earthen berm was not contiguous along the south side of the western corrals, as shown in Photographs 12 and 13.



Photograph 15. View facing south of the public manure stockpile located in the southern portion of the Facility, west of the Facility containment structures.



Photograph 16. Close-up view of the sign located at the public manure stockpile shown in Photographs 10 and 15.